

Nevada State Board of Dental Examiners

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NOTICE OF WORKSHOP AND REQUEST FOR COMMENTS FOR THE LEGISLATIVE AND DENTAL PRACTICE COMMITTEE OF THE NEVADA STATE BOARD OF DENTAL EXAMINERS

Notice of Workshop and Request for Comments regarding review and rulemaking to consider amending Nevada Administrative Code Chapter 631 pertaining but not limited to Dental Management Service Organizations and dental management service contracts.

The Legislative and Dental Practice Committee of the Nevada State Board of Dental Examiners will hold a public workshop and request for comment session on Friday, August 17th at **9:00am** at the offices of the Nevada State Board of Medical Examiners, 1105 Terminal Way, Suite 301, Reno, Nevada 89502. Videoconferencing will be available to the Nevada State Board of Dental Examiners Office, 6010 S. Rainbow Blvd, Suite A-1, Las Vegas, Nevada 89118. The purpose of the workshop is to receive comments from all interested persons regarding participation in dental management service contracts and related compliance with NRS 631.395(10). In order to provide relevant assistance to the committee, interested parties and persons are invited to offer or submit comment(s) regarding:

- (I) If the board were to adopt regulations regarding terms of management service contracts, how would those terms be defined in order to protect public interest, safety, and oral health treatment?
- (II) What specific management services could be contracted without having practical or implied control over services offered by the dentist?
- (III) If the board were to adopt regulations regarding management service contracts, what auxiliary employment terms could be contracted without violating NAC 631.210 and NAC 631.220 duties delegable to dental hygienists and dental assistants respectively by an employing dentist?
- (IV) How would transfer or lease of tangible assets associated with the delivery of dental services to a management service organization (MSO) not constitute an arrangement giving the MSO 'control over services offered by a dentist?'
- (V) If the board were to adopt regulations regarding terms of management service contracts, what fee structure would be appropriate without 'sharing in the fees received by a dentist' and thus retaining an ownership interest or shareholder interest in a going concern (ie dental practice)?
- (VI) How are management services contracts addressing death of the dentist and subsequent provisions of NRS 631.385 which is the only recognized exemption of NRS 631.395(10)—ownership of a dental practice?

Persons wishing to comment and participate in the workshop of the **NEVADA STATE BOARD OF DENTAL EXAMINERS** may appear at the scheduled workshop or may address their comments, data, views or arguments, in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Kathleen Kelly, Executive Director; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov.** In order for written submissions to be made available to committee members and the public, they must be received by the **NEVADA STATE BOARD OF DENTAL EXAMINERS** on or before August 13th, 2007.

A copy of this notice will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice will be available at the office of the **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd. A-1, Las Vegas, Nevada 89118**; and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice is also available on the Board website at: www.nvdentalboard.org.

This notice has been posted at the following locations:

Clark County District Health Department, 625 Shadow Lane, Las Vegas, Nevada.
Elko County Courthouse, Room 106, Elko, Nevada.
Washoe County Courthouse, 75 Court Street, Reno, Nevada.
Office of the N.S.B.D.E., 6010 S. Rainbow Blvd A-1, Las Vegas, Nevada.
Carson City Library, 900 N. Roop St., Carson City, Nevada.
Churchill County Library, 553 S. Main St., Fallon, Nevada.
Las Vegas Library, 833 Las Vegas Blvd, North, Las Vegas, Nevada.
Douglas County Library, 1625 Library Lane, Minden, Nevada.
Elko County Library, 720 Court St., Elko, Nevada.
Goldfield Public Library, Fourth & Crook St., Goldfield, Nevada.
Eureka Branch Library, 10190 Monroe St., Eureka, Nevada.
Humboldt County Library, 85 East 5th St., Winnemucca, Nevada.
Battle Mountain Branch Library, 625 Broad St., Battle Mountain, Nevada.
Lincoln County Library, 93 Main Street, Pioche, Nevada .
Lyon County Library, 20 Nevin Way, Yerington, Nevada .
Mineral County Library, First & A Street, Hawthorne, Nevada.
Tonopah Public Library, 171 Central St., Tonopah, Nevada.
Pershing County Library, 1125 Central Ave., Lovelock, Nevada.
Storey County Library, 95 South R. St., Virginia City, Nevada.
Washoe County Library, 301 S. Center St., Reno, Nevada.
White Pine County Library, 950 Campton St., Ely, Nevada.
Las Vegas Office of the State Attorney General, 555 E. Washington Ave, Las Vegas, Nevada
Carson City Office of the State Attorney General, 100 N. Carson St., Carson City, Nevada